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8  
9 **BEFORE THE**  
**BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No.

*2011-821*

12 **ZAINAB JALLOH, RN**  
13 **5654 Mapleview Dr.**  
14 **Riverside, CA 92509**

**ACCUSATION**

15 **Registered Nurse License No. 593660**

16 Respondent.

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18 Complainant alleges:

19 **PARTIES**

20 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her  
21 official capacity as the Executive Officer of the Board of Registered Nursing, Department of  
22 Consumer Affairs.

23 2. On or about January 18, 2002, the Board of Registered Nursing issued Registered  
24 Nurse License Number 593660 to Zainab Jalloh, RN (Respondent). The Registered Nurse  
25 License was in full force and effect at all times relevant to the charges brought herein and will  
26 expire on August 31, 2011, unless renewed.

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1 **JURISDICTION**

2 3. This Accusation is brought before the Board of Registered Nursing (Board),  
3 Department of Consumer Affairs, under the authority of the following laws. All section  
4 references are to the Business and Professions Code unless otherwise indicated.

5 4. Section 2750 of the Business and Professions Code (Code) provides, in pertinent part,  
6 that the Board may discipline any licensee, including a licensee holding a temporary or an  
7 inactive license, for any reason provided in Article 3 (commencing with section 2750) of the  
8 Nursing Practice Act.

9 5. Section 2764 of the Code provides, in pertinent part, that the expiration of a license  
10 shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the  
11 licensee or to render a decision imposing discipline on the license. Under section 2811(b) of the  
12 Code, the Board may renew an expired license at any time within eight years after the expiration.

13 6. Section 2761 of the Code states, in pertinent part:  
14 The board may take disciplinary action against a certified or licensed nurse or deny an  
15 application for a certificate or license for any of the following:

16 (a) Unprofessional conduct . . . .

17 **COST RECOVERY**

18 7. Section 125.3 of the Code provides, in pertinent part, that the Board may request the  
19 administrative law judge to direct a licentiate found to have committed a violation or violations of  
20 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
21 enforcement of the case.

22 **FACTUAL BACKGROUND**

23 8. On or about December 23, 2007, Respondent was employed by Riverside County  
24 Regional Medical Center (RCRMC), and was working in the RCRMC Department of Psychiatry,  
25 Emergency Treatment Services (ETS) Unit.

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1           9.    On or about December 23, 2007, Respondent was assigned a combative wheelchair-  
2 bound female patient, "Patient X." Respondent had been assigned to Patient X as a "one on one"  
3 (or Continuous Therapeutic Intervention, "CTI") for that day, due to Patient X's difficult behavior  
4 which included name calling, swearing, yelling, spitting, and intentionally throwing herself onto  
5 the floor from her wheelchair. Patient X had been medicated, and had been placed in a  
6 wheelchair for her own safety. Patient X was legally blind in both eyes, and had suffered a  
7 traumatic brain injury at some time. Patient X required continuous staff intervention because she  
8 had been disruptive and had been trying to run into others with her wheelchair.

9           10.   During this shift, Patient X became very angry when Respondent would not permit  
10 her to use the restroom alone. Due to Patient X's "one on one" status, she was not permitted to be  
11 alone. After the restroom incident, Patient X attempted to enter the nurses' station, where  
12 patients are prohibited. Patient X wedged her foot in the doorway to prevent anyone from  
13 removing her. Respondent held both handles on the wheelchair and attempted to jerk the  
14 wheelchair back. A security guard on duty attempted to assist Respondent in removing Patient X  
15 from the doorway. Patient X grabbed the door and attempted to pull herself forward, while  
16 Respondent was jerking the wheelchair backwards, causing Patient X to fall out of the chair and  
17 land in a seated position.

18           11.   Patient X threw herself on the floor and began kicking and screaming and  
19 continuously kicked at anyone who came close to her. Patient X kicked Respondent in the leg.  
20 Respondent kicked the patient forcefully an unknown number of times, with force enough to  
21 cause her shoe to fly off and land approximately two feet away. Patient X stated "she kicked me"  
22 to multiple witnesses, and claimed that she was in pain.

23           12.   The security guard blocked Respondent from further violence against Patient X, and  
24 had to physically separate the two women, moving Respondent several feet away. The security  
25 guard threatened Respondent with physical restraint if she didn't calm down.

26           13.   Patient X refused to allow anyone to examine her for injuries as a result of the  
27 altercation.

28           14.   Respondent was ultimately terminated from RCRMC as a result of this incident.

1 **FIRST CAUSE FOR DISCIPLINE**

2 (Unprofessional Conduct)

3 15. Respondent has subjected her license to disciplinary action under Business and  
4 Professions Code section 2761(a) in that she was unprofessional in her conduct, as described in  
5 paragraphs 9 through 15, inclusive. Respondent was entrusted with the care of patients,  
6 particularly the care of patients who are, or may be, mentally ill and a danger to themselves and  
7 others. Respondent was unable to restrain herself from kicking a patient in her care.  
8 Respondent's behavior was so aggressive that a security guard had to protect the patient from  
9 Respondent. Respondent could have, and may have, caused physical harm to her patient when  
10 she engaged in violent conduct.

11 **AGGRAVATING FACTORS**

12 16. In a separate incident on or about November 15, 1998, Respondent was arrested and  
13 charged with having committed the following offenses:

- 14 1. Violation of Penal Code section 273.5(a), infliction of corporal injury on spouse;  
15 2. Violation of Penal Code sections 242-243 (d), battery on a person with injury.

16 17. As a result of these charges, a protective order was issued against Respondent in  
17 favor of the victim.

18 18. On or about December 17, 1998, in the matter of *People of the State of California v.*  
19 *Zainab Jalloh*, in Los Angeles County Municipal Court, Criminal Judicial District, Case No.  
20 8CR33241, the complaint was amended by interlineation to add Count 3, a violation of Penal  
21 Code section 415, disturbing the peace. As a result of a plea bargain, Respondent was convicted  
22 by her plea of nolo contendere as to Count 3, and all other charges were dismissed. Trial was  
23 scheduled to begin on this date, but the victim did not appear in court to testify.

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PRAYER

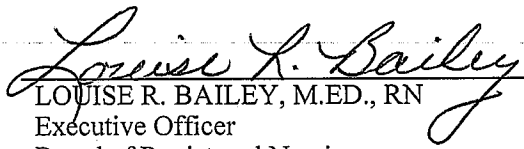
WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

1. Revoking or suspending Registered Nurse License Number 593660, issued to Zainab Jalloh, RN;

2. Ordering Zainab Jalloh to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;

3. Taking such other and further action as deemed necessary and proper.

DATED: 4/5/11

  
LOUISE R. BAILEY, M.ED., RN  
Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
Complainant

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